

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing, claims 1-21 are pending in the application, with claims 1, 6, and 15 being the independent claims.

Based on the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Allowable Subject Matter

In the Office Action, the Examiner objects to claims 12, 14, 19, and 21 as being dependent upon a rejected base claim, but has indicated that these claims would be allowable if rewritten in independent form to include all of the limitations of the base and any intervening claims. (Paper No. 20050606, page 10). Applicant acknowledges with appreciation the Examiner's conditional allowance of these claims. However, Applicant believes the Examiner's objections are moot in light of the remarks herein. As such, Applicant respectfully requests reconsideration and withdrawal of the above objections, and allowance of the aforesaid claims. Nonetheless, Applicant reserves the right to amend the above claims to place them in independent form in a future amendment.

Rejections under 35 U.S.C. § 112

In the Office Action, the Examiner rejects claims 10 and 11 under the second paragraph of 35 U.S.C. § 112, as allegedly being indefinite. (Paper No. 20050606, pages 2 and 3). Applicant respectfully traverses.

With respect to claim 10, the Examiner alleges that the expression “after a user” in step (A)(iii) is indefinite. (Paper No. 20050606, page 2). Applicant respectfully disagrees. The Examiner has taken this expression out of context. Specifically, step (A)(iii) recites “opening client and server displays”. More specifically in step (A)(iii), the adverb clause “after a user at the client opens a console window at the client and starts the graphics application,” modifies the expression “opening client and server displays.” The expression “opening client and server displays” provides “action, status or condition” for the adverb clause, which is “properly punctuated.”

In the Office Action, the Examiner focuses exclusively on the expression “after a user” from the adverb clause, refers to this expression as representing a relative term, and asserts that this expression fails “to be coupled either previously or as a follow-up with some action, status or condition via properly punctuated clauses.” The Examiner’s assertion is erroneous. First within the adverb clause, the words “after a user” is coupled with the “action, status or condition” that reads “opens a console window...and starts the graphics application.” Secondly as expressed above, the entire adverb clause is coupled with the “action, status or condition” that reads “opening client and server displays.”

Therefore contrary to the Examiner’s assertions, the expression “after a user” (when read in context with the entire adverb clause) is defined by the claim. Moreover, support for step (A)(iii) can be found throughout the Application, including, for example,

lines 14-17 of page 9 in the written description and FIG. 4 of the drawings. Therefore contrary to the Examiner's assertions, one of ordinary skill in the art would be reasonably apprised of the scope of step (A)(iii).

Furthermore, steps (i)-(ix) are distinct sub-steps of step (A), as recited in claim 10 and supported by Steps 410-470 in FIG. 4. Although the above-mentioned adverb clause is a condition precedent for "opening client and server displays," none of steps (i)-(ix) are necessarily contingent upon each other. Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 10, and allowance thereof.

With respect to claim 11, the Examiner alleges that the expression "returning the client window to the graphics application" is incomplete for omitting essential elements. (Paper No. 20050606, page 3). Specifically, the Examiner considers the expression "client window" to be unduly broad and require further definition (e.g., image, visual, etc.). Applicant respectfully disagrees. The expression "returning the client window to the graphics application" does not "omit matter disclosed to be essential to the invention described in the specification or in other statements of records," nor does the expression fail "to interrelate essential elements of the invention as defined by applicant(s) in the specification." (See MPEP § 2172.01). In fact, the expression "window" is commonly understood by one of ordinary skill in the relevant art(s), and it is improper for the Examiner to read further limitations into the term "window." It should also be noted that the expression "client window" is used in several locations throughout the written description and the claims (including claim 10 and step (A)(vii)(d) of claim 11, both of which provide antecedent support for the rejected expression). The Examiner has not rejected or objected to the usage of this term in other locations throughout the written

description and other claims. As such, Applicant respectfully submits that the Examiner is improperly attempting to read limitations into the claims to assert that a commonly understood term is indefinite. Applicant respectfully request reconsideration and withdrawal of this rejection of claim 11, and allowance thereof.

Rejections under 35 U.S.C. § 102

In the Office Action, the Examiner rejects claims 1-9, 15, and 16 under 35 U.S.C. § 102(a), as allegedly being anticipated by the publication written by James E. Fowler, entitled "Evaluation of SGI Vizserver" (herein referred to as "Fowler"). (Paper No. 20050606, page 3). Applicant respectfully traverses.

This rejection is no longer valid in light of the inventor's Declaration under 37 C.F.R. 1.132, which is attached herewith. In particular, Applicant respectfully asserts that the subject matter in Fowler that the Examiner relies upon to reject the above claims is a publication of the Applicant's own work. Accordingly, Fowler cannot be used to support a rejection under 35 U.S.C. § 102(a). (See MPEP § 715.01(c) and § 716.10). As such, Applicant respectfully requests reconsideration and withdrawal of the Examiner's rejection of the aforesaid claims, and allowance thereof.

Rejections under 35 U.S.C. § 103

In the Office Action, the Examiner rejects claims 10, 11, 13, 17, 18, and 20 under 35 U.S.C. § 103(a), as allegedly being obvious over Fowler in view of U.S. Patent 5,799,150 to Hamilton *et al.* (herein referred to as "Hamilton"), U.S. Patent 6,535,909 to Rust (herein referred to as "Rust"), U.S. Patent 5,583,922 to Davis *et al.* (herein referred

to as "Davis"), U.S. Patent 5,819,077 to Koga *et al.* (herein referred to as "Koga"), and U.S. Patent 5,291,608 to Flurry (herein referred to as "Flurry"). (Paper No. 20050606, page 6). Applicant respectfully traverses.

Claims 10, 11, 13, 17, 18, and 20 depend directly or indirectly from one of independent claims 1, 6, and 15. Therefore, these claims are patentable for at least the reasons stated above with respect to the rejection of the independent claims, in addition to the features recited therein. Moreover, Hamilton, Rust, Davis, and Flurry cannot cure the defects of Fowler, since these documents are not properly combinable with Fowler in light of the attached inventor's Declaration under 37 C.F.R. 1.132.

Applicant respectfully requests reconsideration and withdrawal of the Examiner's rejection of the aforesaid claims, and allowance thereof.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Kendrick P. Patterson
Attorney for Applicant
Registration No. 45,321

Date: Oct. 28, 2005

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

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